

TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 5000-0103PUS1
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In re Application of: Wolfgang VON DEYN et al.

Application No.: 09/091,300

Filed: June 16, 1998

For: 3-HETEROCYCLYL-SUBSTITUTED BENZOYL DERIVATIVES

The owner*, BASF AKTIENGESSELLSCHAFT, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 11/739,928, filed on April 25, 2007, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

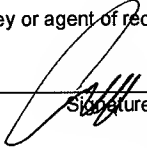
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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 32,868



Signature

September 3, 2009
Date

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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